

Appln. No.: 10/521,105
Amendment Dated: May 29, 2007
Reply to Office Action of: March 27, 2007

MAT-8647US

Remarks/Arguments:

Amendments

Support for the amendment to claim 16 is found on page 5, lines 8-21; page 36, lines 20-25; page 37, line 23, to page 38, line 5; and page 9, line 21, to page 11, line 10. Claim 18 was amended to agree with amended claim 16. Support for new claim 21 is found on page 38, lines 6-9. Support for new claim 22 is found in original claim 19. It is submitted that no new matter is introduced by these amendments and new claims. Entry of this amendment is respectfully requested.

First Rejection under 35 USC 103(a)

Claims 16, 18, and 19 were rejected as unpatentable over Nishimoto, U.S. Patent 5,699,525 ("Nishimoto") in view of Embutsu, U.S. Patent 5,699,371 ("Embutsu").

The Office position is that Nishimoto discloses a refrigerator in which the insulation is an inorganic material as a core material and a rigid urethane foam. The Office admits that Nishimoto does not disclose a discriminating means. Office action, page 2, lines 17-18.

Embutsu was cited for disclosure of an appliance with a tag that facilitates recycling. The information on Embutsu's tag is "the type or kind and quantity of home electric appliances, the time of sale or collection, and the location of sale or collection." Embutsu, column 5, lines 45-47. This is done to facilitate the collection of waste from different waste depositories for transportation to a recycling facility. *Id.*, column 2, line 23, to column 3, line 8.

In contrast, applicants' discriminating means provides information concerning the type and amount of insulation materials, not the kind of appliance and its date of sale. Specification, page 37, line 23, to page 38, line 5. This information can be used for recycling the insulating materials to particle board or a thermal insulating material. This is much more detailed and specific information than the type of appliance.

Neither Nishimoto nor Embutsu, nor the combination thereof, discloses or suggests providing a discriminating means with information which can be used for

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recycling insulating material to particle board or a thermal insulating material.
Therefore, the rejection of claims 16, 18, and 19 as unpatentable over Nishimoto in view of Embutsu should be withdrawn.

Second Rejection under 35 USC 103(a)

Claims 16, 18, and 19 were rejected as unpatentable over Nishimoto and Uekado, U.S. Patent Publication 2001/0036976 A1 ("Uekado"), in view of each other. As noted above, the Office admits that Nishimoto does not disclose a discriminating means. Office action, page 4, lines 1-3.

Uekado was cited for disclosure of a refrigerator with a tag that indicates the "materials of the rigid polyurethane foam." Office action, page 4, lines 6-8.

There are different types of polyurethane foams, made from different isocyanates, such as tolylene diisocyanate and diphenylmethane diisocyanate. Uekado, ¶ [0062]. In the Uekado recycling process, the polyurethane foam broken down to its raw materials. *Id.*, Abstract. It is not recycled to particle board or a thermal insulating material. Consequently, it is necessary to know what type of foam is present in the refrigerator so that a suitable recycling process may be selected. *Id.*, ¶ [0063].

In the instant application, the insulation comprises both polyurethane foam and an inorganic material. Claim 16. The polyurethane foam is ground and mixed with inorganic material to form insulation material. Specification, page 24, line 23, to page 25, line 5. Thus, it is unnecessary to know the type of polyurethane foam present so that a suitable recycling process may be selected.

Neither Nishimoto nor Uekado, nor the combination thereof, discloses or suggests providing a discriminating means with information which can be used for recycling insulating material to particle board or a thermal insulating material. Therefore, the rejection of claims 16, 18, and 19 as unpatentable over Nishimoto in view of Uekado should be withdrawn.

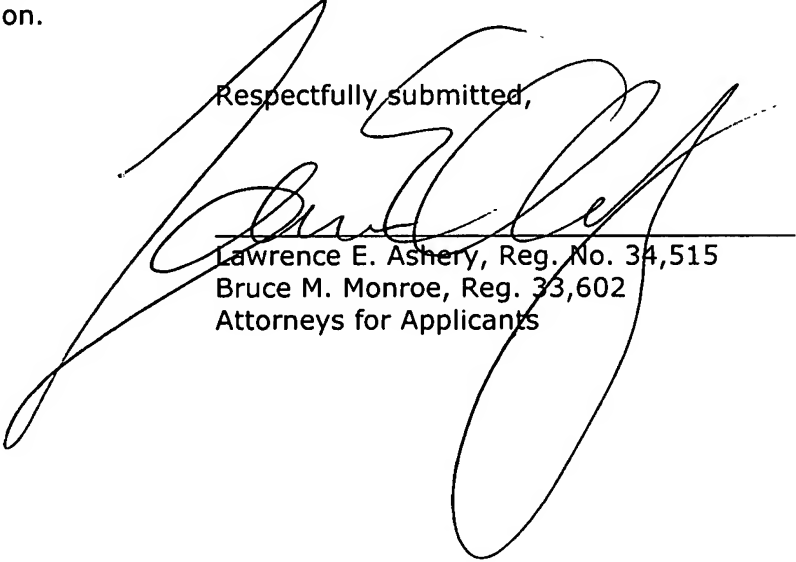
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Conclusion

It is respectfully submitted that the claim is in condition for immediate allowance and a notice to this effect is earnestly solicited. The Examiner is invited to phone applicant's attorney if it is believed that a telephonic or personal interview would expedite prosecution of the application.

Respectfully submitted,



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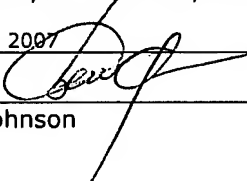
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Beth Johnson

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